

A-Engrossed
Senate Bill 670

Ordered by the Senate April 24
Including Senate Amendments dated April 24

Sponsored by Senators STEINER HAYWARD, WINTERS; Senators BATES, BURDICK, DEVLIN, MONNES
ANDERSON, ROSENBAUM, SHIELDS, Representative REARDON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Directs Department of Justice to develop training curriculum and provide training to public employees, community providers and others on confidentiality requirements, privacy laws and sharing of information in order to consistently facilitate sharing of information between programs and entities wherever feasible. Requires training to be offered beginning no later than January 1, 2017, and requires public employees who receive, create or use confidential information related to provision of health care, human services or housing assistance to receive training every two years, beginning January 1, 2017.]

Directs Department of Human Services to convene work group to develop common client confidentiality release form to be used by public bodies **and community organizations** to enable and facilitate appropriate sharing of confidential information. Requires department to report to Legislative Assembly in 2016 regular session and to have release form available for use by July 1, 2016.

Directs Department of Justice to study state laws and make recommendations on modification of statutes to facilitate communication of presently confidential information between public bodies **and community organizations**. Requires department to make legislative proposals for modification of statutes for consideration in 2017 regular session of Legislative Assembly.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the sharing of information between public bodies; and declaring an emergency.

3 Whereas it is the policy of the State of Oregon to provide an integrated and coordinated deliv-
4 ery system to most efficiently provide the services necessary to assist Oregonians in achieving
5 self-sufficiency; and

6 Whereas providing an integrated and coordinated delivery system requires the sharing of infor-
7 mation between programs, agencies, local government entities and service providers to the greatest
8 extent practicable; and

9 Whereas streamlined information sharing results in better coordination of services and timely
10 provision of services to individuals; and

11 Whereas streamlined information sharing allows for providers to spot trends and identify those
12 at risk so that intervention can take place before greater help is needed; and

13 Whereas there are often misperceptions regarding the protection of individuals' privacy that
14 lead to inconsistent application and interpretation of state and federal privacy laws; and

15 Whereas this inconsistency highlights a need for coordinated policies regarding confidentiality
16 and privacy that reflect the policy of the State of Oregon to share as much data and information
17 as possible; now, therefore,

18 **Be It Enacted by the People of the State of Oregon:**

19 **SECTION 1. (1) The Department of Human Services shall convene a work group to study**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 and develop a common and comprehensive client confidentiality release form to be used by
2 public bodies, as defined in ORS 174.109, and community organizations that provide health
3 care services or human services to enable and facilitate the appropriate sharing of confi-
4 dential information to enhance the delivery of health care services and human services.

5 (2) Members of the work group shall include:

6 (a) Representatives from the Department of Justice;

7 (b) Representatives from other public bodies that receive, create or use confidential in-
8 formation relating to the provision of health care or human services;

9 (c) Representatives of community organizations;

10 (d) Representatives of civil liberty interest organizations; and

11 (e) Other interested stakeholders.

12 (3) The Department of Human Services shall convene the work group as soon as practi-
13 cable after the effective date of this 2015 Act and shall develop the release form for adoption
14 and use by public bodies and community organizations in this state that provide health care
15 services or human services by July 1, 2016.

16 (4) The Department of Human Services shall provide facilities and administrative support
17 for meetings of the work group.

18 (5) The Department of Human Services shall report to those committees of the 2016
19 regular session of the Legislative Assembly having jurisdiction over human services and
20 health care on the progress of the work group in the development of the release form.

21 **SECTION 2.** (1) During 2015 and 2016, the Department of Justice, in consultation with the
22 Department of Human Services and other public bodies, as defined in ORS 174.109, that re-
23 ceive, create or use confidential information related to the provision of health care or human
24 services, shall review state laws and identify those state statutes that could be modified to
25 better facilitate communication between public bodies and community organizations engaged
26 in the provision of health care or human services.

27 (2) The Department of Justice shall submit any legislative proposals for modifications
28 described in subsection (1) of this section in the manner prescribed in ORS 171.130 for in-
29 troduction in the 2017 regular session of the Legislative Assembly.

30 **SECTION 3.** This 2015 Act being necessary for the immediate preservation of the public
31 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
32 on its passage.

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